

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

YUPANQUI PACHACUTEC,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:24-cv-441 (MTT)
)	
CITY OF FORSYTH, <i>et al.</i> ,)	
)	
Defendants.)	
)	

ORDER

Pro se plaintiff Yupanqui Pachacutec filed this 42 U.S.C. § 1983 action and simultaneously moved to proceed *in forma pauperis* (“IFP”). Docs. 1; 2. Along with granting Pachacutec IFP status, the Court was required to screen his complaint pursuant to 28 U.S.C. § 1915(e). After screening, the Court concluded that Pachacutec’s complaint was deficient and ordered him to file a recast complaint no later than Monday, January 13, 2025. Doc. 3. Despite being warned that failure to fully and timely comply with this order may result in the dismissal of this action, Pachacutec did not respond. *Id.*; see *Brown v. Tallahassee Police Dep’t*, 205 F. App’x 802, 802 (11th Cir. 2006) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).¹ On February 3, 2025, Pachacutec was ordered to show cause no later than February 17, 2025, why this case should not be dismissed for failure to comply. Doc. 7. Pachacutec was again warned that failure to fully and timely comply

¹ The Eleventh Circuit has adopted as binding precedent the decisions of the former Fifth Circuit rendered prior to October 1, 1981. *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc).

with this order may result in the dismissal of this action. *Id.* He did not respond.

Accordingly, this action is hereby **DISMISSED** without prejudice.

SO ORDERED, this 21st day of February, 2025.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT